

CIVIL DOCKET
UNITED STATES DISTRICT COURT

Jury demand date:

D. C. Form No. 106A Rev.

TITLE OF CASE	ATTORNEYS
<p>The B. E. GOODRICH COMPANY, A Corporation,</p> <p>vs.</p> <p>Henry FRELICK, Ted DIEBOLD, M. L. ELLIS, Marion ALLGOOD, Don WEBBER, Don WOOD, Marvin WHITTINGTON, Tommy CONKLIN, and LOCAL UNION NO. 318, of the United Rubber, Cork, Linoleum, and Plastic Workers of America, AFL-CIO-CLC,</p>	<p>For plaintiff:</p> <p>John R. Wallace Melvin H. Landers Coy D. Morrow Ben T. Owens <i>918-542-5501</i> P. O. Box 1168 Miami, Oklahoma 74354</p> <p>Reuben Davis BOONE, SMITH, DAVIS & HURST 900 World Building Tulsa, Ok. 74103 587-0000</p> <p>Harold J. Fast Corporate Counsel & Asst. Sec. The B. F. Goodrich Co. Akron, Ohio</p> <p>Kenneth C. McGuinness Suite 1250 1747 Pennsylvania Ave., N.W. Washington, D. C. 20006 (296-0335)</p> <p>For defendant:</p> <p>Jim Ellison World Bldg. Tulsa, Ok 74103 587-0005</p> <p>Joe Mountford Box 1166 Miami, Okl 74354 542-6607</p>

STATISTICAL RECORD	COSTS		DATE	NAME OR RECEIPT NO.	REC.	DISB.
J.S. 5 mailed <i>9-1-73</i>	Clerk		8/21	B. Owens	15.00	
			8/23/73	C.D.No.4		15.00
			10/19-73	Ellison	5 00	
J.S. 6 mailed <i>12-1-73</i>	Marshal		10-25-73	C.D.#14		5 00
Basis of Action: TRO - Breach of contract	Docket fee					
	Witness fees					
Action arose at:	Depositions					

DATE	PROCEEDINGS	Date Order or Judgment Noted
8-21-73	Complaint filed and Summons issued. v	
8-21-73	Notice of hrg. on tro as soon as possible, filed. v	
8-22-73	Ordered by the Court that this case is set on the 8-27-73 docket at 11:00 A.M. for TRO Hearing. (AEB-J)v	
8-23-73	U.S. Marshals service returned and filed. Executed by serving Local Union 318, Marvin Whittington, Don Wood, Don Webber & Ted Diebold, 8-22-73 at Miami, Okla.; Charles T. Conklin and Marion Allgood, 8-22-73 at Miami, Okla.; M. L. Elliw 8-22-73 at Tulsa, Okla.; and Henry Frellick, 8-22-73 at Afton, Okla. (USM \$77.04)jj	
8-27-73	Affidavit of Kenneth G. Kemp, Personnel Mgr. of B. F. Goodrich, w/Settlement Memorandum att., filed. jj	
8-27-73	Case called for hrg. on TRO. Parties present and rep. Harold J. Fast & Kenneth C. McGuinness were sworn as atty.s of record for this case only. Case passed until 9-6-73, at 10:00 A.M., for hearing on preliminary & permanent injunction and hearing on merits. TRO not granted. (AEB-J) vm	
8-28-73	Minute order: Ordered that parties are directed to file briefs by 8/31/73 on five points at issue. (AEB-J)rm - notified by telephone	
8-30-73	Minute order: Ordered that hearing set for 9/6/73 will be held at 11:00 a.m. instead of 10:00 a.m. (AEB-J)rm - notified by phone	
8-31-73	Trial Brief of Pltf. w/exhibits, filed. jj	
8-31-73	Defts. Mtn. to Dismiss Complaint incl. Memo of Authorities, filed.jj	
9-5-73	Minute order: Ordered by Court that due to crowded docket and complexity of litigation presently pending on Court docket, it is ordered that the hearing set for 9/6/73 on preliminary injunction and trial on merits is passed from 9/6/73 at 11 am to 9/11/73 at 10 am. (AEB-J)rm (parties notified by MC)	
9-11-73	Continued hearing on preliminary and permanent injunction and hearing on merits and motion to dismiss of the defendant held. Parties present and represented. Testimony given. Stipulated Exhibits 1 thru 13, and Plaintiff's exhibit 1, admitted into evidence. Answer of defendant filed in open court. Stipulations filed. Defendant's motion to dismiss overruled. Memorandum of Authorities Re: Survival of duty to Arbitrate After Termination of Collective Bargaining Agreement filed in open court. Court directs parties to file proposed Findings by 9-14-73, and case taken under advisement pending filing of briefs. (AEB-J) h	
9-11-73	Exhibits filed in case. h	
9-13-73	Minute Order: It is ordered that upon oral application of defts., parties are granted an additional two days or until 9-18-73 to file proposed Findings of Fact and Conclusions of Law (AEB-J) jj	
9-17-73	Pltf.'s Requested Findings of Fact & Conclusions of Law, filed. v	
9-18-73	Defts. requested Findings of Fact and Conclusions of law, filed. ds	

D. C. 110A Rev. Civil Docket Continuation

DATE	PROCEEDINGS	Date Order or Judgment Noted
9-21-73	Findings of Fact and Conclusions of Law, filed. (AEB-J)rm	
9-21-73	Order overruling defendants' motion to dismiss, filed. (AEB-J)rm	
9-21-73	Permanent injunction, filed and entered, that defs. are permanently enjoined from further violation of Uniform Agreement; defs. are restrained from refusing to arbitrate said matters; that def. Union, thru its officers advise each member of Union that Local Union is no longer on strike. (AEB-J)rm	
9-21-73	Order, filed, that hearing on damages sustained by pltf. is set for hearing on 10/4/73 at 11:00 a.m.; further that 7 days prior to such hearing, parties submit briefs on issue of damages. (AEB-J)rm	
9-26-73	Motion of Deft.s to Abate Hearing on Damages, filed with brief in support attached. v	
9-26-73	Motion of Deft.s to Stay Judgment and Injunction, filed with brief in support attached. v	
9-26-73	Motion of Deft.s to Alter or Amend Judgment, filed with brief in support attached. v	
9-26-73	Ordered by the Court that Pltf. is granted 10 days from this date to respond to Deft.s' Motions to Abate, Motion to Stay Judg., and Motion to Alter Judg. (AEB-J)v	
9-27-73	Defendants' brief on question of damages, filed. g To MC	
9-28-73	Plaintiff's brief regarding recovery of damages against defendant Union for maintaining an illegal strike, filed. g To MC	
10-4-73	Case called for hearing on damages sustained by plaintiff. Parties present and represented. Plaintiff's request for leave to file Reply brief granted. Certain stipulations made into record. Parties request submitting case on briefs with no additional evidence, and at request of parties case stricken from this date, and continued for hearing on damages sustained by plaintiff until Tues. Oct. 16, 1973 at 10:00am. (AEB-J)h -notice mailed-	
10-4-73	Plaintiff's reply brief on question of damages filed.h	
10-5-73	Case passed for hearing on damages to Tues. Oct. 23, 1973 at 10:00am. (AEB-J)h	
10-11-73	Pltf's Response to defts' Motion to alter or amend judgment, filed, r	
10-11-73	Brief in support of Pltf's Response to defts' Mtn to alter or amend judgment, filed. r	
10-11-73	Pltf's Response to Defts' Mtn to stay judgment & Injunction, filed. r	
10-11-73	Brief in support of Pltf's Response to defts' Mtn to stay judgment & injunction, filed. r	
10-19-73	Notice of appeal by defs. to order entered 9/21/73, filed. rm (copies to USCA & counsel)	
10-19-73	Bond for costs on appeal, filed. (\$250 cash) rm	
10-23-73	Case called for hearing on damages and stricken at request of parties. Parties present and announce possible settlement and request one week continuation for negotiations; and case passed to Tues, Oct. 30, 1973 at 10:00 am. (AEB-J)h	

DATE	PROCEEDINGS	Date Order or Judgment Noted
10-30-73	Case called for hearing on damages sustained by plaintiff. Parties present and announce settlement, and hearing stricken. Def's announce withdrawal of notice of appeal in this case, and court directs parties to prepare settlement papers and submit same within 10 days.(AEB-J)h	
11-13-73	Stipulation of parties, filed. rm	
11-13-73	Order, filed and entered, granting pltf. permission to withdraw prayer for damages; granting def. permission to withdraw appeal; modifying permanent injunction, and approving stipulation of parties.(AEB-J)rm	Copies mailed by J. Ellison
11-13-73	Dismissal of appeal by defs., w/order of court granting same.(AEB-J)rm (copy to USCA)	
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3-22	APPLICATION of Pltf, B.F.Goodrich Company, to w/draw funds in amt of \$250.00 from Registry of this Ct.(O to J)jc	
3-25	ORDER that Clerk disburse \$250.00 to Boone, Smith, Davis & Hurst for an appeal bond.(HDC-J)a cp/mld	